

REMARKS

Claims 1-5 and 7-22 were pending in the present application, of which Claims 7-11, 13, and 18-20 stand rejected. Claims 1-5 and 15-17 are allowed. Claims 12, 14, 21, and 22 are objected to. This response amends Claims 7, 12, and 18 and cancels Claims 14, 21, and 22. Accordingly, Claims 1-5, 7-13, and 15-20 are currently under consideration.

The amendments to Claims 7 and 18 incorporate features that the Office has indicated make these claims and their dependent claims allowable over the cited references. The amendment to Claim 12 puts it in independent form to overcome the Office's objection to its dependence on a rejected base claim. Hence, Applicants respectfully submit that these amendments place the present application in condition for allowance.

Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented. No new matter has been added.

Allowable Subject Matter

The Office states: "none of the prior arts of record teaches the limitations 'wherein the pulse current has a period equal to or less than 30ms and a pulse width equal to or larger than 0.2ns' of claims 1, 14, 15, 21, 22, and 'wherein, if a value of the driving current is changed, the variation of a color of light emitting from the light emitting section is larger than that of a color of light emitting from the LED device' of claim 12." (Office Action, §4)

Rejections under 35 USC § 102

Claims 7-11, 13 and 18-20 are rejected under 35 USC § 102(e) as allegedly being anticipated by Lebens et al. (US 6,095,661; hereinafter Lebens).

Independent Claims 7 and 18 have been amended to recite "wherein the pulse current has a period equal to or less than 30 ms and a pulse width equal to or larger than 0.2 ns," formerly recited in dependent Claims 14, 21, and 22. As noted above, the Office acknowledges that none of

the cited references discloses this feature. Claims 8-11, 13, 19, and 20 are directly dependent on either Claim 7 or Claim 18 and hence also distinguish over the cited reference.

Hence, Applicants respectfully request that the Office withdraw the rejection under 35 USC § 102.

Claims to which the Office objected

Claims 12, 14, 21, and 22 were objected to for their dependence on a rejected base claim but deemed allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims.

Claims 14, 21, and 22 are canceled, rendering objections to them moot. Claim 12 has been rewritten in independent form including all of the features of its base claim. Independent Claim 12 recites “wherein, if a value of the driving current is changed, the variation of a color of light emitting from the light emitting section is larger than that of a color of light emitting from the LED device.” As noted above, the Office acknowledges that none of the cited references discloses this feature.

Hence, Applicants respectfully request that the Office withdraw its objection to Claim 12.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. **299002051701**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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